

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11324 of 2018

Arising Out of PS. Case No.-66 Year-2017 Thana- ASAWAN District- Siwan

Ram Ekbal Prasad @ Ram Ekbal Pd., Son of Late Kedar Prasad, Both are
Resident of Village-Shivpur Sakara, Police Station-Asaon, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. SRI MATLOOB RAB

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2018 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Asaon P.S. Case No. 66 of 2017 registered for the offence punishable under Sections 272, 273 and 308 of the Indian Penal Code and Sections 30, 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 7.35 litres of illicit liquor from the small shop of the petitioner.

The learned counsel for the petitioner submits that no recovery has been made from the conscious possession of the petitioner. It is further submitted that the shop is visited by many people and someone might have planted the said liquor. It is also submitted that the co-accused persons in the instant case has



already been granted bail vide order dated 12.02.2018 passed in Criminal Misc. No. 8081 of 2018.

Considering the nature of accusation and the fact that prima facie no case is made out under the provisions of the Excise Act, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge (Excise), Siwan in connection with Asaon P.S. Case No. 66 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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